

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 17 November 2011 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19, 25, 28, 31, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asahi (JP 61-40368) in view of Francois (6,234,311).

In Re claim 19, Asahi discloses a cask buffer body comprising: a shock absorber (see fig. 6) configured to be attached to a cask (1), wherein the shock absorber absorbs a shock against the cask by being deformed, and includes empty holes (see hollow space in figs. 6a, 6b, 6c) for adjusting a shock absorbing capability. Asahi teaches the claimed invention except for the use of wood.

Francois teaches forming a shock absorber with wood pieces (5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have formed the shock absorber of Asahi of wood, as taught by Francois, as it is a light weight, cheap, readily available, and efficient shock absorbing material.

In Re claim 25, see figs. 2, 4, and 5 of Asahi.

In Re claims 28, 31, and 34, see figs. 1-3 of Asahi. Examiner notes that the holes would inherently pass through fibers of each of the wood blocks, as modified.

Response to Arguments

Applicant's arguments filed 17 November 2011 have been fully considered but they are not persuasive.

Applicant argues that the buffer body of Asahi is not made of wood. In response to applicant's argument, the examiner points out that Francois is and was used previously to teach forming a shock absorbing buffer body using wood material.

No further arguments were presented disputing the 35 U.S.C 103(a) rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THOMAS IRVIN whose telephone number is (571)270-3095. The examiner can normally be reached on M-F 10-4pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Siconolfi

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can be reached on (571) 272-7124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thomas Irvin/
Examiner, Art Unit 3657